

REMARKS/ARGUMENTS

This is in response to the Office Action dated March 15, 2006. The Applicants appreciate the Examiner's thorough search and examination of the present patent application and the indication that claim 2 recites patentable subject matter.

Claims 1 and 2 are pending in this application.

Claim 1 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,634,208 to Salou et al. ("Salou"), in view of U.S. Patent No. 5,921,633 to Neibling et al. ("Neibling").

Reconsideration and withdrawal of these rejections are respectfully requested.

In accordance with independent claim 1, the claimed wheel bearing includes a rotating part, a stationary flange and rolling contact elements arranged between the rotating part and the flange, the flange having first openings adapted to support a brake caliper. Claim 1 further recites at least one sensor so arranged and placed on the stationary flange for measuring the braking force by measuring a change in length in the material of the stationary flange in the flow of force between the first fastening openings in the flange for receiving a brake caliper and a form-locking connecting element for connecting to a wheel carrier.

Salou does not teach that. Instead, Salou discloses a wheel bearing 1 that includes a fixed outer raceway 2 (flange), a rotating inner raceway 3 (rotary part), and rolling bodies between them (rolling contact elements). The fixed raceway 2 is intended for association with a fixed structure such as the chassis of a vehicle 4 by additional means of an interface 5. To this end, the additional and separate element, i.e., the interface 5, includes the means 7 for associating the interface 5 with the fixed raceway 2; the first means 8 for fixing the interface 5 to the fixed structure, i.e., connecting elements for connecting to wheel carrier; and the second means 9 (first openings) for fixing a device 10 (brake caliper) intended to apply a force to the rotating member 6.

Salou further discloses at least one sensor 38 being arranged and placed on the interface 5 for measuring the braking force. That is achieved by measuring a change in length in the material of the interface 5 in the flow of force between the second means 9 and the first means 8. Both the second means 9 and the first means 8 are non-form-locking elements.

Salou teaches mounting the brake caliper on the interface 5. It is the interface 5, not the flange or fixed outer raceway 2, that includes a possible equivalent of the first openings of claim 1. As stated above, Salou teaches at least one sensor 38 arranged and placed on the interface 5 for measuring the braking force by measuring a change in length in the material of the interface, not of the fixed outer raceway 2 (flange). Salou does not arrange and place connection elements on the fixed outer raceway 2 (flange). Instead the connection elements are formed by holes. Holes are not “form-locking connecting elements” as recited in claim 1.

Niebling discloses a wheel mounting for a vehicle, which includes a rotatable wheel flange (rotating part) connected by an antifriction bearing (rolling contact elements) with a stationary part (flange) of the wheel mounting by which the wheel mounting is fastened to the vehicle. The wheel flange includes mounting regions circumferentially around the wheel flange and axially spaced at different respective axial locations along the wheel flange. Each of the regions includes fastening areas to which either a brake disk or a wheel rim may be attached. Rivets, pins, or the like may permit axial mounting of the brake disk with play. Radially inwardly facing, generally semicircular holes in the brake disk enable the brake disk to expand without interference.

There is no hint in Niebling of a brake caliper. Niebling discloses only a brake disk attached at the wheel flange. In its Fig. 1 Niebling shows the stationary part connected by non-form-locking connecting elements, i.e., holes, to the vehicle. There is no teaching in Niebling of using form-locking connecting elements. Additionally, Niebling gives no hint of sensor means for measuring the braking force. Niebling discloses an ABS-sensor measuring the rotation speed. This is quite different from a braking force measuring sensor.

Therefore, Salou, Niebling, and their combination, do not disclose or suggest at least the flange or fixed outer raceway 2 “having first openings adapted to support a brake caliper”; “at least one sensor so arranged and placed on the stationary flange for measuring the braking force by measuring a change in length in the material of the stationary flange”; and “measuring a change in length in the material of the stationary flange in the flow of force between the first fastening openings in the flange for receiving a brake caliper and a form-locking connecting element for connecting to a wheel carrier”, which elements are recited in claim 1 of the present application.

Thus, Applicants' independent claim 1 is patentably distinct from Salou, Niebling, and their combination. Claim 2 depends directly from above discussed independent claim 1 and is, therefore, patentable for the same reasons, as well as for the reasons stated by the Examiner. The application is therefore believed to be in condition for allowance.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on July 13, 2006:

James A. Finder

Name of applicant, assignee or
Registered Representative

Signature

July 13, 2006

Date of Signature

RCF:JAF:JK:ck/lf

Respectfully submitted,



James A. Finder

Registration No.: 30,173

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700